IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.27851 of 2008
BARKA RAUT
Versus
STATE OF BIHAR

2/ 14.8.2008 Heard learned counsel for the parties.

The petitioner is the sole accused of a case in which allegation against him is that he committed rape on the informant, a 12 years girl.

Submission is that the petitioner has been implicated in this case on account of enmity from before and the doctor has not given any definite opinion of rape.

The doctor has noted about the blood stained interior and undergarment. Considering the allegation of rape on a minor girl, I am not inclined to grant bail to the petitioner. Accordingly, his prayer for bail is rejected.

However, the petitioner may renew his prayer for bail before the court below if the prosecutrix in cross-examination of her evidence does not support the case.

Tahir/- **(Shyam Kishore Sharma, J.)**

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